



**MINUTES
REGULAR COMMISSION MEETING
Ed Burke Recreation Center - 11400 NE 9th Court
Biscayne Park, FL 33161
Tuesday, December 1, 2015 at 7:00pm**

1 Call to Order

Mayor David Coviello called the meeting to order at 7:05pm.

2 Roll Call

Mayor David Coviello - present

Vice Mayor Bob Anderson - present

Commissioner Fred Jonas - present

Commissioner Roxanna Ross - absent (*Arrived at 7:10pm*)

Commissioner Barbara Watts - present

Present from staff were:

Village Manager Heidi Siegel

Village Clerk Maria C. Camara

Village Attorney John Hearn

Finance Manager Claude Charles

Assistant Public Works Manager Cesar Hernandez

3 Pledge of Allegiance

Mayor Coviello recognizes Commissioner Watts will serve as Vice Mayor for the next six months.

4 Presentations

< None >

5 Additions, Deletions or Withdrawals to the Agenda

Commissioner Anderson: Requests an update from the Manager on the notification to residents on new ordinance.

6 Public Comments Related to Agenda Items / Good & Welfare

Barbara Kuhl: Take your time on decision for television or projector at log cabin. This system we have has worked. Smaller screen will be too far away. Use the wall that has the thermostat. Look for a retracting screen. Don't rush to meet a deadline. On "mcmansions" take that seriously as it will happen more and more.

Janey Anderson: Entry signs are terrific. But on the Manager's update, working on finishing landscaping and lighting on the ones installed. Why not get all the signs in, and then find funding for the landscaping and lighting. On upcoming Winterfest, disappointed that some streets were eliminated. Should try to incorporate more so more people will see it.

Art Pyle: On community signage, the white background needs to be painted. Make sure plantings don't interfere with the visibility. On the ordinance for Planning & Zoning to be a resident and owner, when will you address the same for commissioners? On study for flood problem that we really don't have, consider we need better street lights. There are requirements for city streets where we don't comply.

Gary Kuhl: With the flat screen, will not be able to read what is displayed. Lot coverage should be considered along with heights on "mcmansion" item.

Chester Morris: Miami Shores Rotary provided a donation for Winterfest. Be aware that the Rotary does many things all over the world. Encourage residents to participate in Flag program through the Rotary for only \$50.

Manager Siegel thanked the Rotary and Doc Morris for their donation of \$1,000 for Winterfest.

Shelecia Bartley, Parks & Recreation Manager: Upcoming events include Winterfest, Holiday House Decorating Contest, Free Saturday Boot Camp, Coffee with the Mayor, Lego Club, Art Club, Modern Martial Arts classes, and Yoga Classes. Coming up in April 2016 is the Relay for Life. Looking for volunteers to help out with Winterfest on December 19th from 10am to 2pm.

Manager Siegel presented and explained the new website feature allowing residents to submit a House Watch Order online which is then immediately forwarded to the Police Department.

6.a Response to prior public comments and inquires

Attorney Hearn explained that under the Florida Constitution and State law, the Village would not be able to make it a requirement for an elected official to be both a resident and property owner.

Manager Siegel explained that all eight signs have been purchased, and four have been installed. As previously explained as funding is available for all costs associates such as for the base, installation, lighting and landscaping, the installation will continue for the remaining four. Chose the four current locations based on those that were most visible and had most impact.

Manager Siegel explained that on the Winterfest parade route, this year is different than in prior years based on type and number of vehicles. Worked closely with the Chief and for safety reasons selected those streets with medians. Chief expressed concerned with including 11th place as it is very narrow.

7 Information / Updates

- 7.a Finance Manager Claude Charles provided the financials for current fiscal year 2015-16 as of October 31, 2015.

8 Consent Agenda

- 8.a Approval of Minutes
November 10, 2015 Regular Commission Meeting

- 8.b Acceptance of Board Minutes
Biscayne Park Foundation - September 28, 2015
Code Compliance Board - November 9, 2015
Planning & Zoning Board - November 16, 2015
Public Art Advisory Board - November 12, 2015
Parks & Parkway Advisory Board - October 21, 2015

8.c **Resolution 2015-54**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **ESTABLISHING THE REGULAR COMMISSION MEETING SCHEDULE FOR 2016**; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Jonas makes a motion to approve the consent agenda and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas, and Commissioner Ross.

Opposed: None

Motion carries: 5/0

Mayor Coviello moves up items 12.a and 12.d

- 12.a Parks & Parkway Advisory Board's suggested landscaping for the Log Cabin - As requested by Commissioner Ross

Commissioner Ross explained that the Board did not have a quorum at their last meeting and it was rescheduled for Wednesday, December 9th at 7:00pm at Village Hall.

- 12.d Discussion of the placement of flat screen televisions in the Log Cabin - as requested by Vice Mayor Watts

After commission discussion, Mayor Coviello asks for consensus to move forward with what was originally proposed with the installation of the flat screen television.

Commissioner Jonas: Yes

Commissioner Anderson: What was presented seems to be best option. Don't want to incur more costs.

Vice Mayor Watts: Would be premature to make a decision now.

Commissioner Ross: No need to redesign. Confident with what the professionals have presented and it is what other cities find to be most practical.

Mayor Coviello calls a recess at 7:55pm

Meeting resumes at 8:07pm

9 Ordinances

< Second Reading >

9.a Ordinance 2015-09

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA AMENDING CHAPTER 2, SECTION 2-30 OF THE CODE OF ORDINANCES, CHAPTER 13, SECTION 13.2.2 OF THE LAND DEVELOPMENT CODE AND CHAPTER 14, SECTION 14.1.4 OF THE LAND DEVELOPMENT CODE **TO PROVIDE REGULATIONS CONCERNING BOARD AND COMMITTEE MEMBER ABSENCES; PROVIDING FOR PLANNING AND ZONING BOARD MEMBERS TO BE PROPERTY OWNERS AS WELL AS RESIDENTS OF THE VILLAGE;** PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Coviello opened the meeting for public comment and there were none.

After Commission questions regarding what is considered a property owner, Attorney Hearn recommended to draft a resolution to define property owner. Also suggests that for flexibility, that the language is amended that would allow for the Commission to appoint a board member that is not a property owner with a 4/5th super majority vote.

Commissioner Anderson makes a motion to approve Ordinance 2015-09 as amended and it is seconded by Commissioner Jonas.

The motion was called to a vote:

Commissioner Ross: Yes

Vice Mayor Watts: Yes

Commissioner Anderson: Yes

Commissioner Jonas: Yes

Mayor Coviello: Yes

Motion carries: 5/0

10 Resolutions

< None >

11 Old Business

11.a Chapter 8 - Proposed Code Changes

Attorney Hearn provided the background, explaining that the Code Review Board's proposed changes were used to draft the ordinance for the Commission's review before scheduling it for first and second reading.

After Commission discussion, there was consensus to have the following changes incorporated:

- Ordinance 2010-01 was passed in regards to house numbers. This new ordinance needs to be consistent with that language.
- Add language that addresses windows that are covered.

Consensus to move forward with the changes and bring back for first reading at the February meeting.

12 New Business

12.b MLK Day of Service 2016 - As requested by Commissioner Ross

Commissioner Ross provided background and selected Sunday, January 10th as the date for the project which is yet to be selected.

Commissioner Ross makes a motion to draft and adopt a resolution for the 2016 MLK Day of Service and it is seconded by Commissioner Jonas.

All in favor: Mayor Coviello, Vice Mayor Watts, Commissioner Anderson, Commissioner Jonas, and Commissioner Ross.

Opposed: None

Motion carries: 5/0

12.c Address the progress on Worker's Compensation Claims - As requested by Vice Mayor Watts

Vice Mayor Watts provided the background. Currently there are two open claims that occurred when the Village was self-insured. The Village is responsible for all medical costs associated with these claims.

Attorney Hearn explained worker's compensation claims are addressed in Florida Statutes. Cannot be covered or paid for by health care plans. Worker's compensation claims cannot be waived. The claims will continue until it reaches a status of a permanent disability. Can also look into entering into a settlement to close the claims as was done in the past.

There was consensus for Manager Siegel and Attorney Hearn to meet with Miami-Dade County who currently administers these open claims for possible options.

12.e Discussion of zoning for new construction in the Village - as requested by Vice Mayor Watts

Vice Mayor Watts provided the background. Need to look at setbacks related to lot size, and not just the heights of new builds.

Commissioner Jonas appreciates the many different styles of homes throughout the Village.

Mayor Coviello suggests to have the Code Review Board look at what our objectives are and suggest criteria. Or better, that in the future we hire a professional Planner to go through our entire code and simplify it.

Commissioner Ross: Asks that we provide set criteria or give the Board our vision as to what we want before they start the work.

Consensus that the entire Commission do their homework on this and bring the item back at a future meeting.

13 Request for Placement of Items on Next Meeting Agenda

Commissioner Ross: Review landlord permitting process.

Commissioner Ross: Setting policy for when a Board does not meet quorum, and procedures if they continue with just having a workshop.

14 Reports

14.a Village Manager

- Manager Siegel and representatives from Becker & Poliakoff meeting with Miami Dade County Board of Commissioners individually on our annexation application. No specific date has been set to be placed on their agenda, but will be after the new year.

- Log cabin on schedule. Windows, doors, plumbing and flooring taking place. Grand re-opening on schedule for January 24, 2016.

- Community signage continues. Received landscaping plans from consultants. Will share with Parks & Parkway and will propose to schedule for MLK Day of Service event for installation.

- 5th Avenue & 121st Street median: Waiting to hear back from Miami Dade County Fire Rescue. Communication continues with residents in the area on the progress to date.

- At the Recreation Center, A/C unit to be replaced; basketball courts being repainted.

- The notification to residents on driveway ordinance has been drafted and being forwarded to the Attorney for his review, then will be mailed to residents.

14.b Village Attorney

- Working with the Police Department and drafting Memorandum of Understanding to clarify the definition of a vacation day in relation to 12-hour shifts.
- Will begin negotiations for PBA contract in January as the current contract will expire on September 30, 2016.

14.c Village Commission

Vice Mayor Watts: Attended League of Cities meeting of Energy Environment and Resources Committee where they discussed their legislative agenda. Will share their report with the Village Commission and encourages everyone to read. Followed up on commissioner articles for the newsletter. Wishes everyone happy holidays.

15 Announcements

Monday, December 7th - Planning & Zoning Board at 6:30pm
Wednesday, December 9th - Public Art Advisory Board at 6:00pm
Monday, December 14th - Biscayne Park Foundation at 7:00pm
Monday, December 14th - Code Compliance Board at 7:00pm
Wednesday, December 16th - Parks & Parkway Advisory Board at 7:00pm
Saturday, December 19th - Winterfest from 10:00am to 1:00pm
Monday, December 21st - Planning & Zoning Board at 6:30pm
Tuesday, December 22nd - Recreation Advisory Board at 7:00pm
Friday, December 25th - All Village Departments are closed for Christmas
Friday, January 1st, All Village Departments are closed for New Years

Our next regular Commission meeting is Sunday, January 24, 2016 at 4:00pm in the newly renovated Log Cabin. Tonight is officially the last Commission meeting at the Recreation Center.

Adjournment

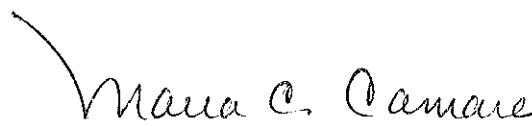
The meeting was adjourned at 9:19pm.

Commission approved on February 2, 2016.

Attest:



David Coviello, Mayor



Maria Camara, Village Clerk